

KAUṬALYA ON CONFLICTS WITHIN THE RULING CLASS

Every summer administrators of the Old Indian state converged on their state capital with account books in hand for the audit process. This time marked the end of the fiscal year and was a period of rest before the onset of the monsoon and the renewed agricultural activity. Kauṭalya's Arthaśāstra¹ and Megasthenes' fragments² inform us of many interesting details of this gathering. Especially, Kauṭalya names the chief authority in the auditing process: it is the group of high state officers known as the *mahāmātra*-s (II, 7, 24). The *mahāmātra*-s are apparently not audited themselves, and there is the peculiar injunction that all decisions must be made by the complete body — and unanimously (II, 7, 25)³. J. C. Heesterman has therefore suggested that these *mahāmātra*-s were no mere « bureaucrats but in fact sharers or coparceners with the king in the realm »⁴. The strong emphasis on unanimity reminds Heesterman « of the traditional pañcāyat and similar gatherings, where we equally find this stress on unanimity and consensus as a corollary of the strife and factionalism characteristic of the little community »⁵. The *mahāmātra*-s' standing as coparceners in the realm could also explain the role they play in deciding an unsettled succession to the throne (V, 6, 33-36)⁶. This authority, in all probability rarely in-

1. *The Kauṭīliya Arthaśāstra*, ed., and transl. R. P. KANGLE, Bombay, 1960 and 1963.

2. Megasthenes ed. F. JACOBY, *Fragmente der Griechischen Historiker*, vol. III C, Leiden, 1958, Nr. 715, F 4; 40, 2.

3. HARTMUT SCHARFE, *Untersuchungen zur Staatsrechtslehre des Kauṭalya*, Wiesbaden, 1968, pp. 221-32 and J. C. HEESTERMAN, *Kauṭalya and the Ancient Indian State*, WZKSA 15 (1971), pp. 10-2.

4. J. C. HEESTERMAN, *Political Modernization in India*, in A. R. Davis (ed.), « Traditional Attitudes and Modern Styles in Political Leadership », Sydney, 1973, p. 43.

5. J. C. HEESTERMAN, WZKSA 15 (1971), p. 12.

6. HARTMUT SCHARFE, *Untersuchungen*, pp. 218-21 (where I could have included one more instance, i.e., the installation of King Sihabāhu by the dignitaries described in Mahāvamśa, VI, 33) and J. C. HEESTERMAN, WZKSA 15 (1971), p. 19.

voked, might be heir to the function of the Vedic *ratnīn-s*, mentioned as « the givers and takers of kingdom » in the *Brāhmaṇa-s*⁷.

If this estimate of the *mahāmātra-s*' standing is correct, it would be difficult for the king to dismiss or discipline a hostile *mahāmātra*: the *mahāmātra* might receive support from his colleagues and thus precipitate a political crisis. Kauṭalya therefore recommends covert operations instead in such instances with regard to high officers of the state in general: « But against those hostile principal officers, who cause harm to the kingdom, [and] who, being favorites or being united, cannot be suppressed openly, [the king] should employ silent punishment, taking his pleasure from duty »⁸.

How this silent punishment is carried out, and how close the *mahāmātra-s* are to the royal family, becomes clear from this suggestion: « Or, a secret agent should instigate the son of a hostile *mahāmātra* thinking highly of himself, [suggesting] "You are really the king's son, kept here through fear of the enemy". When he believes that, the king should honor him in private, [saying] "Though the time for installing you as the crownprince has come, I am not anointing you through fear of the *mahāmātra*". The secret agent should induce him to murder the *mahāmātra*. When he has acted, [the king] should cause him to be executed on the spot, declaring, "He is a parricide" »⁹. For the story to be believable, the *mahāmātra* had to be close to the king and powerful enough to potentially influence the king's course of action. But the murderous son would easily be eliminated by the king's men as a dangerous and worthless criminal¹⁰.

Occasionally two or more members of a family may be *mahāmātra-s*; if two of them are hostile to the king, the latter may exploit any existing conflict between these two: « When of two hostile *mahāmātra-s*, a son has relations with the father's wife or a father with the son's wife or a brother with that of a brother, a fight between the two started by a

7. E.g., *Taittirīya Brāhmaṇa*, I, 7, 3, 1. Cf. WILHELM RAU, *Staat und Gesellschaft im alten Indien*, Wiesbaden, 1957, p. 56 and J.C. HEESTERMAN, *The Ancient Indian Royal Consecration*, The Hague, 1957, chapter VI.

8. V, 1, 4, *rājyōpaghātinā tu vallabhāḥ saṃhatā vā ye mukyāḥ prakāśam śakyāḥ pratiśeddham dūṣyāḥ, teṣu dharma-rucir upāṃsu-dāṇḍaṃ prayujjita*. The Malayālam commentary reads *dharma-śucir* « pure in his duty » instead of *dharma-rucir*: Bhāṣā Kauṭāliyam, *adhikaraṇa-s* 4-7, ed. K. N. Ezhuthachan, Madras, 1960, p. 149, 1; this reading is not noted in Kangle's edition.

9. V, 1, 15-18, *dūṣya-mahāmātra-putram ātma-saṃbhāvitam vā sattri « rāja-putras tvam, śatru-bhayād iha nyasto 'si » ity upajapet. pratipannam rājā rahasi pūjayet « prāpta-yauvarāja-kālam tvāṃ mahāmātra-bhayaṃ nābhiśiñcāmi » iti. tam sattri mahāmātra-vadhe yojayet. vikrāntam tatraiva ghātayet « pīṭ-ghātako 'yam » iti*.

10. Kangle's translation makes it appear as if the murderer would be executed in the usual legal way; that is, however, not what the text says. One reason for his speedy execution is probably the intent to prevent him from telling his side of the story. The old Malayālam commentary points to yet another consideration: *kollākkāl paramāṇṛtham aRiñña-ppōṇ kālāntarattil avanum śatru-v-āy varum* « If [the king] does not kill [him], he will become hostile when he at a later time learns the truth (of how he was used) » in Bhāṣā Kauṭāliyam, *adhikaraṇa-s* 4-7, pp. 152, 8-10.

secret agent [of the king] is explained by the preceding (i.e., the assassination of one of the *mahāmātra*-s by a secret agent is blamed on the remaining *mahāmātra* and "avenged" on the spot) » ¹¹.

If the two enemies of the king are not related, the operation assumes larger proportions: « As to suppression of two hostile [officers], however: [the king] should dispatch one hostile [officer] accompanied by a weak army and assassins to where the [other] hostile [officer] is to be suppressed, [saying]: "Go, raise an army or money in that fortified city or vasall state; or extract money from the favorite; ... or, carry out the work of a vasall or frontier officer; and whoever prevents you or does not give you help should be imprisoned". In the same way [the king] should send word to the others, "The transgression of so and so should be prevented [by you]". When he may be disputing on these occasions for strife or on account of hindrances in his work, assassins should secretly kill him by bringing down their weapon [on him]. For that offense, the others should be put down » ¹².

In this last paragraph Kauṭalya's formulation is ambiguous: the words could be taken as a reference to judicial procedure. But who should be the judges? The other *mahāmātra*-s? It is more likely, that the variation is merely a matter of style and that the Malayālam commentary is right, when it paraphrases with *kolvitu* « he shall kill ». Whenever the king's men catch the duped man in *flagrante delicto* and kill him, the other dignitaries can or even must accept the fait accompli, if a plausible explanation is offered. The avoidance of judicial procedure points to more than a fear that the duped man could implicate the king; we recall, that the wronged party in the case of adultery within a high ranking family did not seek legal redress either. It implies that criminal acts including adultery and murder committed by a *mahāmātra* will go unpunished, if there is no political motivation for the king to make an issue of it. Only a strong king, whose *mahāmātra*-s are divided, can take action openly as king Bimbisara supposedly did ¹³; frequently, he will have to resort to the means described above. This may sound outrageous, but it is only realistic to admit that this has been so throughout most, if not all, of human history. Crimes committed by the high dignitaries and by the ruler himself find their eventual retribution only through a political process: sedition, factionalism, economic unrest, and, maybe, divine intervention (or so the epics and Purāṇa-s tell us).

11. V, 1, 14, *dūṣya-mahāmātrayor vā yaḥ putraḥ pituḥ pitā vā putrasya dārān adhīcarati, bhrāta vā bhrātuh, tayoḥ kapaṭika-mukhaḥ kalahaḥ pūrveṇa vyākhyātaḥ*. Note that the wronged husband does not go to court to punish the adulterer.

12. V, 1, 38-42, *ubhaya-dūṣya-pratiśedhas tu: yatra dūṣyaḥ pratiśeddhavyas tatra dūṣyam eva phalgu-bala-tikṣṇa-yuktaṁ preṣayet: « gaccha, amuṣmin durge rāṣṭre vā saṁyam utthāpaya hiraṇyaṁ vā, vallabhād vā hiraṇyaṁ āhāraya, ... kārāya rāṣṭra-pālyam antapālyam vā; yaś ca tvā pratiśedhayan na vā te sāhāyaṁ dadyāt, sa bandhavyaḥ syāt » iti. tathaivētareṣāṁ preṣayed: « amuṣyāvinayaḥ pratiśeddhavyaḥ » iti. tam eteṣu kalaha-ssthāneṣu karma-pratiḥhāteṣu vā vivadāmanāṁ tikṣṇāḥ śastraṁ pātayitvā pracchannaṁ hanyuḥ. tena doṣeṇētare niyantavyāḥ*.

13. Cullavagga ed. H. Oldenberg, reprint London, 1930, VII, 3, 5.

We have learned from Kauṭalya's recommendations, that a state's *mahāmātra*-s come from various families, that sometimes two or more may be drawn from the same family, but that not all family members necessarily have this title. These other family members can be incited by the king to murder the hostile *mahāmātra* with the promise, that they will inherit the property¹⁴; the murderer, in fact, will be executed immediately by the king's men. This points to aristocratic families, comparable to the *rājan*-s of the Brāhmaṇa period, families that belong to the same class as the ruling king himself. In the Pāli canon, in Vinaya-piṭaka, III, 47, we are told that the *mahāmātra*-s were called *rājan*-s¹⁵. Indeed, in the enemy's country a *mahāmātra* is convincingly told that he will be king: « Or an agent appearing as an astrologer should declare to a *mahāmātra*, whose confidence he has won, that he is possessed of the marks of a king »¹⁶. That officer will soon start a rebellion to make the prediction come true and try to install himself on the throne, thus weakening the enemy state. For such a class of *rājan*-s in the state described by Kauṭalya there are three more indications that so far have been overlooked by modern scholars.

Arthaśāstra, II, 15, 42, deals with the grades of rice fed to animals and classes of men; as Kangle remarks in his translation, « in the best or highly polished, the rice yield is only one-fourth of the paddy ». Thus « Twelve *āḍhaka*-s of rice-grains from five *droṇa*-s of *śālī*-rice are for the feeding of a young elephant, ... seven for chiefs, six for queens and the princes, five for kings, or one *prastha* of rice-grains, unbroken and cleansed »¹⁷. Since there is no concern for the nourishment of foreign kings, or for past and future kings of the realm, there must be several kings in the country, if the plural used in this sentence shall be justified.

Arthaśāstra, III, 16, deals with donations; penalties are assessed for donations offered or accepted for immoral reasons. « [That applies also to] a gift in anger for injuring another and a gift made in haughtiness above that of kings »¹⁸. Kangle suggests in a note to his translation:

14. V, 1, 6, *taṃ rājā dūṣya-dravyôpabhogâtisargeṇa dūṣye vikramayet* « The king should induce him to fight against the hostile [officer] by granting the use of the hostile [officer's] property ».

15. Vinayapitakam ed. Hermann Oldenberg, London 1879-83, vol. III, p. 47, *rājāno nāma pathavyā rājā padesarājā maṇḍalikā antarabhogikā akkhadassā mahāmattā ye vā pana chejjabhejjanam anusāsanti ete rājāno nāma* « "Kings" means: kings of the earth, local kings, kings' deputies, subordinate chieftains, judges, chief ministers: moreover those who administer torture and maiming are [all] called kings ». I follow closely the translation of I. B. Horner, « The Book of the Discipline », London, 1938, vol. I, p. 74. The *mahāmātra*-s wear « half-crowns » (*ardha-mukuta*) according to Nāṭyaśāstra, XXIII, 145 (ed. Manomohan Ghosh, Calcutta, 1967).

16. XII, 2, 19, *kārtāntikā-vyañjano vā mahāmātram*: « *rāja-lakṣaṇa-saṃpannam* » *kramābhiniṭam brūyāt*.

17. II, 15, 42, *pañca-droṇe śālīnām dvādaśāḍhakaṃ taṇḍulānām kalabha-bhojanam*, ... *saptakaṃ mukhyānām, ṣaṭkaṃ devī-kumārānām, pañcakaṃ rājñām, akhaṇḍa-parisuddhānām vā taṇḍulānām prasthaḥ*.

18. III, 16, 7, *roṣa-dānam para-himsāyām, rājñām upari darpa-dānam ca*.

«*rājñām*: the plural may suggest inclusion of members of the royal family». He obviously noticed the problem; but his explanation is not convincing, since other members of the royal family are frequently mentioned as *yuvārāja*, *kumāra*, etc., but never as *rājan*. The sentence, III, 16, 7, is better taken to refer to the heads of the aristocratic families in the state. It was regarded as criminal arrogance for a commoner to surpass the generosity of such high noblemen.

In Arthaśāstra, VIII, 4, various conflicts are contrasted to test their relative importance. «Of strife among subjects and of strife among kings, strife among subjects, creating a split among subjects, invites attacks by enemies, while strife among kings brings about double food, wages and exemptions for the subjects, say the teachers. No, says Kauṭalya. Strife among subjects can be averted by winning over the leaders among the subjects or by removal of the cause of strife. And the subjects, contending among themselves, benefit [the king] by their mutual rivalry. Strife among kings, on the other hand, leads to harassment and destruction of the subjects and can be overcome [only] with double exertion»¹⁹. The commentary *Nayacandrikā*²⁰ explains the compound *rāja-vivādas* with *rājñor vivādas* «strife between two kings», whereas Kangle in his translation renders it as «strife in the royal family» and remarks «*rājavivādaḥ* is strife among members of the royal family for power». I find it unlikely that members of the royal family could rival the king with the grant of wages, exemptions etc., unless the king has already lost his grip on the government. We should rather think of the rivalry of powerful noblemen for regional influence or for a role in the central government. Also, it is hard to see, how strife in the royal family could be regarded as beneficial to the king on any account, as the teachers supposedly say. The rivalry between powerful nobles, on the other hand, may convey benefits to the people in the short run and may even strengthen the king's hand in a way; but it is undesirable in the long run nevertheless, because it undermines the basis of the state: a well established ruling class.

This establishment the king must protect by political means; if his friendly efforts fail, and since judicial redress is not available, the king must resort to radical and covert operations, i.e., assassination. It is essential, not only that these actions are conducted in secret, but also that they remain secret, as it were, forever. Few manuscripts of the Arthaśāstra have reached us to reveal the ugly truth, alas.

19. VIII, 4, 16-20, *prakṛti-rāja-vivādayoḥ prakṛti-vivādaḥ prakṛtīnām bhedakāḥ parābhiyogān āvahati, rāja-vivādas tu prakṛtīnām dviguṇa-bhaktā-vetana-parihāra-karo bhavati ity ācāryāḥ. nēti Kauṭalyaḥ. śakyāḥ prakṛti-vivādaḥ prakṛti-mukhyōpa-graheṇa kalāṣa-ssthānāpanayanena vā vārayitum. vivadamānās tu prakṛtayaḥ para-spara-saṃgharṣeṇōpakurvanti. rāja-vivādas tu pīḍanōchedanāya prakṛtīnām dviguṇa-vyāyāma-sādhyā iti.*

20. *Arthaśāstra of Kauṭilya*, ed. J. JOLLY and R. SCHMIDT, vol. II. Notes, with the commentary *Nayacandrikā*, Lahore, 1924, pp. 96, 18.